

**6550. Adulteration of salol and quinine and adulteration and misbranding of Grip Pans capsules, capsules aspirin, mixed treatment capsules, sedative capsules, codeiphen capsules, Migraine Preferred, No. 2, salol and acetphenetidin. U. S. \* \* \* v. Joseph McManus (Philadelphia Capsule Co.). Plea of nolo contendere. Fine, \$150. (F. & D. No. 8705. I. S. Nos. 1560-m, 8813-m, 8815-m, 8816-m, 8818-m, 8819-m, 8820-m, 8821-m.)**

On June 13, 1918, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Joseph McManus, trading as the Philadelphia Capsule Co., Philadelphia, Pa., alleging shipment by said defendant on or about the dates indicated from the State of Pennsylvania into the State of New Jersey, of quantities of articles labeled in part "Grip Pans Capsules," February 7, 1917, "Aspirin," "Mixed Treatment Capsules," "Sedative Capsules," May 9, 1917, "Codeiphen Capsules," "Migraine, Pref. No. 2," and "Salol & Acetphenetidin," June 12, 1917, which were adulterated and misbranded, and on or about June 12, 1917, a quantity of an article labeled in part "Salol & Quinine," which was adulterated.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed the following results:

## GRIP PANS.

Acetanilid (per cent)-----	28.15
(grains per ounce)-----	about 123
Ammonium salicylate (calculated from salicylic acid) (per cent)-----	37.38
Sodium bicarbonate (per cent)-----	25.52
Plant tissue, moisture, etc. (per cent)-----	8.95

## ASPIRIN.

Average contents (10 capsules) (grains)-----	3.585
Average shortage (10 capsules) (grains)-----	1.415
(per cent)-----	28.3
Capsules are 28 per cent short of aspirin.	

## MIXED TREATMENT CAPSULES.

Iron as ferrous iodid (mg per capsule)-----	15.7
Arsenic as arsenous iodid (mg per capsule)-----	.32

Analysis shows not more than 3.72 minims sirup of ferrous iodid U.S.P. and 0.52 minims solution arsenous and mercuric iodids U.S.P. per capsule.

## SEDATIVE CAPSULES.

172 capsules in bottle.	
Ammonia as ammonium Bromid (grains per capsule)-----	2.25
Potassium bromid (grains)-----	2.405
Sodium as sodium bromid (grains per capsule)-----	2.143

## CODEIPHEN CAPSULES.

Product contains 2.47 grains of acetanilid per capsule and no acetphenetidine and contained codein.

## MIGRAINE, PREFERRED, NO. 2.

186 capsules in bottle.	
Acetanilid (grains per capsule)-----	2.51

## SALOL AND QUININE.

Salol (grains per capsule)----- 1.61  
 (or 20 per cent less than the catalogue claim, which is 2 grains.)

## SALOL AND ACETPHENETIDIN.

Acetphenetidin (grains per capsule)----- 0.90  
 Salol (grains per capsule)----- 1.80

The acetphenetidine is about 65 per cent less, and the salol is about 28 per cent less than the catalogue claim, which is 2.5 grs. of acetphenetidine and salol.

Adulteration of the article in each shipment was alleged in the information for the reason that its strength and purity fell below the professed standard under which it was sold.

Misbranding of Grip Pans was alleged for the reason that the statement, to wit, "Contains Acetanilide Derivative 125 grs. to oz. \* \* \* Phenysal 1½ gr. Salipyrine 1 gr.", borne on the label attached to the bottle containing the article regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that said capsules each contained 125 grains of acetanilid derivative to the ounce, 1½ grains phenysal, 1 grain salipyrin, whereas, in truth and in fact, said capsules contained no acetanilid derivative, phenysal, or salipyrin. Misbranding was alleged for the further reason that the article contained acetañilid, and the label failed to bear a statement of the quantity or proportion of the acetanilid contained therein.

Misbranding of the aspirin was alleged for the reason that the statement, to wit, "Aspirin 5 grains," borne on the label attached to the bottle containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that said capsules each contained 5 grains of aspirin, whereas, in truth and in fact, they did not, but contained a less amount, to wit, 3.585 grains of aspirin.

Misbranding of the "Mixed Treatment Capsules" was alleged for the reason that the statement, to wit, "Syrup Ferrous Iodide 5 min. \* \* \* Solution Arsenous and Mercuric Iodides 2 min.," borne on the label attached to the bottle containing the article regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that said capsules each contained 5 minims of sirup ferrous iodid and 2 minims of solution arsenous and mercuric iodids, whereas, in truth and in fact, said capsules did not contain 5 minims of sirup ferrous iodid and 2 minims of solution arsenous and mercuric iodids, but contained a less amount of sirup ferrous iodid and a less amount of solution arsenous and mercuric iodids.

Misbranding of the "Sedative Capsules" was alleged for the reason that the statements, to wit, "200 capsules" and "Ammonium Bromide 2½ gr. Sodium Bromide 2½ gr. Potassium Bromide 2½ gr.", borne on the label attached to the bottle containing the article regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that said bottles contained 200 capsules and that said capsules each contained 2½ grains ammonium bromid, 2½ grains sodium bromid, and 2½ grains potassium bromid, whereas, in truth and in fact, said bottle did not contain 200 capsules, but contained a less amount, to wit, 172 capsules, and each of said capsules did not contain 2½ grains ammonium bromid, 2½ grains sodium bromid, and 2½ potassium bromid, but contained a less amount, to wit, ammonium bromid 2.25 grains, sodium bromid 2.143 grains, and potassium bromid 2.405 grains.

Misbranding of the "Codeiphen Capsules" was alleged for the reason that the statement, to wit, "Acetphenetidine 3 gr.", borne on the label attached to the bottle containing the article regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that said capsules each contained 3 grains of acetphenetidin, whereas, in truth and in fact, said capsules contained no acetphenetidin; and for the further reason that it contained acetanilid, and the label failed to bear a statement of the quantity or proportion of acetanilid contained therein; and for the further reason that it contained codeine, a derivative of opium, and the label failed to bear a statement of the quantity or proportion of codeine, a derivative of opium, contained therein.

Misbranding of the "Migraine, Pref., No. 2" was alleged for the reason that the statement, to wit, "220," borne on the label attached to the bottle containing the article, regarding it, was false and misleading in that it represented that said bottle contained 200 capsules of the article, whereas, in truth and in fact, said bottle did not contain 200 capsules of the article, but did contain a less amount, to wit, 186 capsules of the article; and for the further reason that it contained acetanilid and the label failed to bear a statement of the quantity or proportion of acetanilid contained therein.

Misbranding of the "Salol and Acetphenetidin" was alleged for the reason that it contained acetphenetidin, a derivative of acetanilid, and the label failed to bear a statement of the quantity or proportion of acetphenetidin, a derivative of acetanilid, contained therein.

On December 12, 1918, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$150.

C. F. MARVIN, *Acting Secretary of Agriculture.*